

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN CAROLYN SQUIRES**, on February 21, 2007
at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Carolyn Squires, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Vicki Cocchiarella (D)
Sen. Jeff Essmann (R)
Sen. Steven Gallus (D)
Sen. Larry Jent (D)
Sen. Rick Laible (R)
Sen. Jesse Laslovich (D)
Sen. Dave Lewis (R)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 502, 2/14/2007; SB 485, 2/14/2007; SB 509, 2/14/2007; SB 491, 2/14/2007; SB 497, 2/14/2007;
Executive Action:	SB 502, SB 485, SB 491, SB 497, SB 509, SB 286, SJ 9, SR 4

00:00:43

HEARING ON SB 502

Opening Statement by Sponsor:

00:01:00 **SEN. MIKE COONEY (D), SD 40**, opened the hearing on **SB 502**, Clarify polling place accessibility standards.

Proponents' Testimony:

00:02:52 Beth Brenneman, Attorney, Montana Advocacy Program (MAP)

00:04:59 Mark Simonich, Office of the Honorable Secretary of State Brad Johnson

00:06:24 Robert Throssell, Montana Association of Clerks and Recorders

00:06:54 Carl Schweitzer, Montana Association of the Blind

EXHIBIT(sts39a01)

00:08:16 Joy Bruck, AARP Montana

00:09:06 Elizabeth Andrews, Montana Common Cause

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

00:09:58 Sen. Cooney

EXECUTIVE ACTION ON SB 502

00:10:24 **Motion:** **SEN. GALLUS** moved that **SB 502 DO PASS**.

00:10:35 **Motion/Vote:** **SEN. GALLUS** moved to amend **SB 502** with amendment **#SB050201.ASH AND A CONCEPTUAL AMENDMENT DO PASS**. Motion carried unanimously by voice vote. **SEN. ESSMANN** was excused.

EXHIBIT(sts39a02)

00:10:55 **Motion/Vote:** SEN. GALLUS moved that SB 502 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. ESSMANN was excused.

HEARING ON SB 485

Opening Statement by Sponsor:

00:11:45 SEN. JOHN BRUEGGEMAN (R), SD 6, opened the hearing on SB 485, Revise prohibition on mailing lists for certain professions and occupations.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

00:13:11 Jill Caldwell, Montana Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

00:13:38 Sen. Joe Tropila to Sen. Brueggeman rereferred to Ms. Caldwell, DLI

00:15:22 Sen. Vicki Cocchiarella to Sen. Brueggeman

00:16:20 Sen. Cocchiarella to Ms. Caldwell, DLI

00:17:27 Mark Cadwallader, Department of Labor and Industry

Closing by Sponsor:

00:18:24 Sen. Brueggeman

EXECUTIVE ACTION ON SB 485

00:19:51 **Motion:** SEN. GALLUS moved that SB 485 DO PASS.

Discussion:

00:20:04 Sen. Cocchiarella to Ms. Caldwell, DLI

00:21:45 Sen. Squires to Ms. Caldwell, DLI

00:22:42 Sen. Balyeat to Sen. Brueggeman

00:23:14 **Vote:** Motion that SB 485 DO PASS carried unanimously by voice vote. SEN. ESSMANN was excused.

HEARING ON SB 509

Opening Statement by Sponsor:

00:23:47 **SEN. STEVEN GALLUS (D), SD 37**, opened the hearing on **SB 509**, Prohibit constituency money in lieu of state funding for services.

Proponents' Testimony:

00:26:21 Elizabeth Andrews, Montana Common Cause

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:28:18 Sen. Jim Shockley to Sen. Gallus

Closing by Sponsor:

00:29:58 Sen. Gallus

HEARING ON SB 491

Opening Statement by Sponsor:

00:30:13 **SEN. LYNDA MOSS (D), SD 26**, opened the hearing on **SB 491**, Revise housing laws.

Proponents' Testimony:

00:32:15 Judy Smith, homeWARD

EXHIBIT(sts39a03)

00:38:58 Glenn Oppel, Montana Association of Realtors

00:39:23 Dustin Stewart, Montana Building Association of Montana

00:39:39 Mike O'Neill, Montana Home Choice Coalition

EXHIBIT(sts39a04)

00:42:02 Joy Bruck, AARP Montana

00:43:39 Gene Leuwer, Rocky Mountain Development Council

Opponents' Testimony: None.

Informational Testimony:

00:44:36 Bruce Brensdel, Executive Director, Montana Board of
Housing

EXHIBIT(sts39a05)

Questions from Committee Members and Responses:

00:46:42 Sen. Shockley to Ms. Smith, homeWARD

00:48:34 Sen. Cocchiarella to Ms. Smith, homeWARD

Closing by Sponsor:

00:50:44 Sen. Moss

HEARING ON SB 497

Opening Statement by Sponsor:

00:52:59 **SEN. LYNDIA MOSS (D)**, SD 26, opened the hearing on **SB 497**, Create mural in the capital honoring women as community builders.

Proponents' Testimony:

00:57:13 Richard Sims, Director, Montana Historical Society

Opponents' Testimony:

00:59:38 Sarah Etchart, Capitol Complex Advisory Council

Informational Testimony:

01:03:37 Sheryl Olson, Deputy Director, Montana Department of
Administration (DOA)

Questions from Committee Members and Responses:

01:04:05 Sen. Dave Lewis to Sen. Moss

01:05:04 Sen. Squires to Ms. Etchart, Capitol Complex
Advisory Council rereferred to Ms. Olson, DOA

01:07:11 Sen. Squires to Mr. Sims

01:07:44 Sen. Cocchiarella to Ms. Etchart, Capitol Complex
Advisory Council

01:08:38 Sen. Tropila to Mr. Sims, Montana Historical Society

Closing by Sponsor:

01:09:07 Sen. Moss

01:10:44 **Motion:** SEN. SQUIRES moved that SB 491 DO PASS.

01:10:45 **Discussion:**

01:11:12 Sen. Squires to Mr. Bohyer, LSD

01:11:41 **Vote:** Motion that SB 491 DO PASS carried 9-2 by voice
vote with SEN. ESSMANN and SEN. SHOCKLEY voting no.

EXECUTIVE ACTION ON SB 497

01:12:23 **Motion:** SEN. SHOCKLEY moved that SB 497 DO PASS.

Discussion:

01:12:33 Sen. Cocchiarella

01:13:05 Sen. Shockley

01:13:13 Sen. Lewis

01:13:51 Sen. Gallus

01:14:14 Sen. Jent

01:15:44 Sen. Gallus to Sen. Moss

01:16:08 **SEN. SHOCKLEY withdrew the DO PASS motion on SB 497. No
further action was taken.**

EXECUTIVE ACTION ON SB 509

01:16:28 **Motion:** SEN. COCCHIARELLA moved that SB 509 DO PASS.

Discussion:

01:16:44 Sen. Essmann

01:17:24 Sen. Shockley

01:17:35 **Motion:** SEN. COCCHIARELLA moved to amend SB 509 with a CONCEPTUAL AMENDMENT.

Discussion:

01:19:23 Sen. Shockley

01:19:59 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved carried 10-1 by voice vote with SEN. LASLOVICH voting no.

01:20:13 **Motion:** SEN. SHOCKLEY moved that SB 509 DO PASS AS AMENDED.

Discussion:

01:20:25 Sen. Lewis

01:21:18 Sen. Balyeat

01:21:43 Sen. Gallus

01:23:46 Sen. Essmann

01:25:05 **Motion:** SEN. COCCHIARELLA moved to further amend SB 509 with a CONCEPTUAL AMENDMENT.

Discussion:

01:25:39 Sen. Shockley

01:26:11 Sen. Gallus

01:26:31 Sen. Squires

01:26:58 Sen. Shockley

01:27:13 Sen. Balyeat

01:27:57 Sen. Squires

- 01:28:31 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved failed 5-5 by voice vote with SEN. JENT, SEN. LASLOVICH, SEN. LEWIS, SEN. SHOCKLEY, and SEN. TROPILA voting no. SEN. LAIBLE was excused.
- 01:29:14 **Motion:** SEN. COCCHIARELLA moved that SB 509 DO PASS AS AMENDED.
- 01:30:19 SEN. TROPILA called a POINT OF ORDER on the previous CONCEPTUAL AMENDMENT motion for the purpose of a roll call vote. Motion carried 8-3 on a roll call vote. SEN. LASLOVICH, SEN. JENT, and SEN. TROPILA voted no. SEN. LAIBLE voted aye by proxy.
- 01:32:00 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 509 DO PASS AS AMENDED. Motion carried 7-4 by roll call vote with SEN. BALYEAT, SEN. JENT, SEN. LEWIS, and SEN. TROPILA voting no. SEN. LAIBLE voted aye by proxy.

EXECUTIVE ACTION ON SB 286

- 01:32:38 **Motion:** SEN. COCCHIARELLA moved that SB 286 DO PASS.
- Discussion:**
- 01:34:14 Mr. Bohyer
- 01:34:23 Sen. Lewis
- 01:35:02 **Motion/Vote:** SEN. LEWIS moved to amend SB 286 with a CONCEPTUAL AMENDMENT. Motion carried unanimously by voice vote.
- 01:35:25 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 286 DO PASS AS AMENDED. Motion carried 9-1 by voice vote with SEN. LASLOVICH voting no. SEN. LAIBLE was excused.

EXECUTIVE ACTION ON SJ 9

- 01:36:03 **Motion:** SEN. GALLUS moved that SJ 9 DO PASS.
- Discussion:**
- 01:36:33 Sen. Shockley
- 01:36:53 Sen. Balyeat

01:37:40 Sen. Shockley

01:38:12 Sen. Cocchiarella

01:40:01 **Substitute Motion:** SEN. SQUIRES made a substitute motion that SJ 9 BE TABLED.

01:40:45 SEN. GALLUS did not recognize the SUBSTITUTE TABLE MOTION.

Discussion:

01:41:00 Sen. Gallus

01:42:19 **Substitute Motion/Vote:** SEN. SQUIRES made a substitute motion that SJ 9 BE TABLED. Substitute motion carried 10-1 by voice vote with SEN. GALLUS voting no.

EXECUTIVE ACTION ON SR 4

01:43:55 **Motion:** SEN. SQUIRES moved that SR 4 DO PASS.

Discussion:

01:44:24 Sen. Squires

01:44:34 **Vote:** Motion that SR 4 DO PASS carried unanimously by voice vote.

Discussion:

01:44:55 Sen. Shockley

01:45:49 Sen. Gallus

01:46:29 Mr. Bohyer, LSD

ADJOURNMENT

Adjournment: 5:15 A.M.

SEN. CAROLYN SQUIRES, Chairman

LOIS O'CONNOR, Secretary

CS/lo

Additional Exhibits:

EXHIBIT ([sts39aad.pdf](#))